

2013 DRAFTING REQUEST**Bill**

Received: 7/16/2013 Received By: rchampag
 Wanted: As time permits Same as LRB:
 For: Garey Bies (608) 266-5350 By/Representing: Cory
 May Contact: Drafter: rchampag
 Subject: Employ Pub - retirement Addl. Drafters:
 Extra Copies:

Submit via email: YES
 Requester's email: Rep.Bies@legis.wisconsin.gov
 Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

County jailers as protective occupation participants under WRS

Instructions:

Redraft 2009 AB 776

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rchampag 7/17/2013						
/1	rchampag 11/13/2013	wjackson 7/24/2013	phenry 7/25/2013		lparisi 7/25/2013		State S&L Retire
/2	rchampag 11/20/2013	wjackson 11/19/2013	jmurphy 11/19/2013		lparisi 11/19/2013		State S&L Retire

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/3	rchampag 1/8/2014	wjackson 11/21/2013	rschluet 11/21/2013	_____	mbarman 11/21/2013		State S&L Retire
/4	rchampag 1/16/2014	wjackson 1/9/2014	jfrantze 1/10/2014	_____	srose 1/10/2014		State S&L Retire
/5		wjackson 1/16/2014	rschluet 1/16/2014	_____	mbarman 1/16/2014	lparisi 1/21/2014	State S&L Retire

FE Sent For:

<END>

01-24-2014
(1/5)
(see attached)

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1/16/14

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15 WJ 1/16

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Topic:

(Detention officers, and correctional officers)
 County Jailers as Protective Occupation Participants under WRS
OK

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ph

FE Sent For:

<END>



State of Wisconsin
2009 – 2010 LEGISLATURE

LRB-4003/1
RAC:jld:ph

2009 ASSEMBLY BILL 776

February 24, 2010 – Introduced by Representatives VAN AKKEREN, BIES, SHERMAN, ZIGMUNT, MASON, BERCEAU, KAUFERT, HRAYCHUCK, MURSAU and POPE-ROBERTS, cosponsored by Senators RISSER, LEIBHAM and HARSDORF. Referred to Committee on Corrections and the Courts. Referred to Joint Survey Committee on Retirement Systems.

- 1 AN ACT *to amend* 40.02 (48) (c); and *to create* 40.02 (17) (n), 40.02 (48) (bd) and
2 40.65 (4w) of the statutes; **relating to:** classifying county jailers as protective
3 occupation participants for the purposes of the Wisconsin Retirement System.

Analysis by the Legislative Reference Bureau

Under current law, participants under the Wisconsin Retirement System (WRS) whose principal duties involve law enforcement or fire suppression or prevention and require frequent exposure to a high degree of danger or peril and a high degree of physical conditioning are classified as protective occupation participants. Current law specifically classifies police officers, fire fighters, and various other individuals as protective occupation participants. Under the WRS, the normal retirement age of a protective occupation participant is lower than that of other participants and the percentage multiplier used to calculate retirement annuities is higher for protective occupation participants than for other participants.

This bill classifies county jailers as protective occupation participants for the purposes of the WRS.

Because this bill relates to public employee retirement or pensions, it may be referred to the Joint Survey Committee on Retirement Systems for a report to be printed as an appendix to the bill.

ASSEMBLY BILL 776

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 40.02 (17) (n) of the statutes is created to read:

2 40.02 (17) (n) Notwithstanding par. (d), each participant who is a county jailer
3 shall be granted creditable service as a protective occupation participant for all
4 covered service while a county jailer that was earned on or after the effective date
5 of this paragraph [LRB inserts date], but may not be granted creditable service
6 as a protective occupation participant for any covered service as a county jailer that
7 was earned before the effective date of this paragraph [LRB inserts date], unless
8 that service was earned while the participant was classified under sub. (48) (a) and
9 s. 40.06 (1) (d) as a protective occupation participant.

10 **SECTION 2.** 40.02 (48) (bd) of the statutes is created to read:

11 40.02 (48) (bd) "Protective occupation participant" includes any participant
12 who is a county jailer, if the department receives notification of the participant's
13 name as provided in s. 40.06 (1) (d). Notwithstanding par. (a), an employer shall
14 classify such a participant as a protective occupation participant without making a
15 determination that the principal duties of the participant involve active law
16 enforcement or active fire suppression or prevention.

17 **SECTION 3.** 40.02 (48) (c) of the statutes is amended to read:

18 40.02 (48) (c) In s. 40.65, "protective occupation participant" means a
19 participating employee who is a police officer, fire fighter, an individual determined
20 by a participating employer under par. (a), (bd), or (bm) to be a protective occupation
21 participant, county undersheriff, deputy sheriff, state probation and parole officer,

ASSEMBLY BILL 776

1 county traffic police officer, conservation warden, state forest ranger, field
2 conservation employee of the department of natural resources who is subject to call
3 for forest fire control or warden duty, member of the state traffic patrol, state motor
4 vehicle inspector, University of Wisconsin System full-time police officer, guard or
5 any other employee whose principal duties are supervision and discipline of inmates
6 at a state penal institution, excise tax investigator employed by the department of
7 revenue, person employed under s. 61.66 (1), or special criminal investigation agent
8 employed by the department of justice.

9 **SECTION 4.** 40.65 (4w) of the statutes is created to read:

10 40.65 (4w) A county jailer who becomes a protective occupation participant on
11 or after the effective date of this subsection [LRB inserts date], is not entitled to
12 a duty disability benefit under this section for an injury or disease occurring before
13 the effective date of this subsection [LRB inserts date].

14 **SECTION 5. Effective date.**

15 (1) This act takes effect on the January 1 after publication.

16 (END)



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-2696/1

RAC: /.....

Wly

2013 BILL

- gen cat.

- 1 AN ACT ...; relating to: classifying county jailers as protective occupation
2 participants for the purposes of the Wisconsin Retirement System.

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For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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19 participating employee who is a police officer, fire fighter, an individual determined
20 by a participating employer under par. (a), (bd), ^{or} ~~for~~ (bm) to be a protective occupation
21 participant, county undersheriff, deputy sheriff, state probation and parole officer,
22 county traffic police officer, conservation warden, state forest ranger, field
23 conservation employee of the department of natural resources who is subject to call
24 for forest fire control or warden duty, member of the state traffic patrol, state motor
25 vehicle inspector, University of Wisconsin System full-time police officer, guard or

BILL

1 any other employee whose principal duties are supervision and discipline of inmates
2 at a state penal institution, excise tax investigator employed by the department of
3 revenue, person employed under s. 60.553 (1), 61.66 (1), or 62.13 (2e) (a), or special
4 criminal investigation agent employed by the department of justice.

History: 1981 c. 96, 187, 250, 274, 386; 1983 a. 9, 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 106, 140; 1983 a. 141 ss. 1 to 3, 20; 1983 a. 191 ss. 1, 6; 1983 a. 192 s. 304; 1983 a. 255 s. 6; 1983 a. 275, 290, 368; 1983 a. 435 s. 7; 1985 a. 29, 225; 1985 a. 332 ss. 52, 251 (1); 1987 a. 27, 62, 83, 107, 309, 340, 356, 363, 372, 399; 1987 a. 403 ss. 43 to 45, 256; 1989 a. 13, 14, 31; 1989 a. 56 s. 259; 1989 a. 166, 182, 189, 218, 230, 240, 323, 327, 336, 355, 357, 359; 1991 a. 32, 39, 113, 152, 229, 269, 315; 1993 a. 16, 263, 383, 490, 491; 1995 a. 27, ss. 1946 to 1953, 9130 (4); 1995 a. 81, 88, 89, 216, 240, 302, 381, 417; 1997 a. 3, 27, 39, 69, 110, 162, 237, 238; 1999 a. 9, 11, 42, 63, 65, 83; 2001 a. 16, 38, 103, 104, 109; 2003 a. 33; 2005 a. 153, 335; 2007 a. 20, 131, 226; 2009 a. 15, 28; 2011 a. 7, 10, 32, 116, 229; s. 35.17 correction in (22) (a), (48g).

5 **SECTION 4. 40.65 (4w) of the statutes is created to read:**

6 40.65 (4w) A county jailer who becomes a protective occupation participant on
7 or after the effective date of this subsection [LRB inserts date], is not entitled to
8 a duty disability benefit under this section for an injury or disease occurring before
9 the effective date of this subsection [LRB inserts date].

10 **SECTION 5. Effective date.**

11 (1) This act takes effect on the January 1 after publication.

12 (END)

Champagne, Rick

From: Bruce, Cory
Sent: Monday, November 04, 2013 11:41 AM
To: Champagne, Rick
Subject: changes to LRB 2696

Rick,

You drafted LRB 2696/1 – related to county jailers. We'd like to make a couple changes to the bill.

Can you add language similar to the following:

- Include that the job description for said County to qualify has to include "law enforcement duties"
- If protective status in a County was previously negotiated away the County and employees affected will immediately enter into negotiations to address the fiscal impact of the change in law

Thanks,
Cory Bruce
Bies Office

Champagne, Rick

From: Bruce, Cory
Sent: Wednesday, November 13, 2013 1:50 PM
To: Champagne, Rick
Subject: RE: County Jailer POP Status under WRS

Thank you!

From: Champagne, Rick
Sent: Wednesday, November 13, 2013 1:49 PM
To: Bruce, Cory
Subject: RE: County Jailer POP Status under WRS

Yes, it should be. Since we are retaining the active law enforcement requirement, only those county jailers who have duties involving active law enforcement can become protectives.

From: Bruce, Cory
Sent: Wednesday, November 13, 2013 1:40 PM
To: Champagne, Rick
Subject: RE: County Jailer POP Status under WRS

Rick,
I shared your thoughts with Rep. Bies and the Badger Sheriff's Association. I think we're all in agreement that we'd prefer option 1. Here is what the Sheriff's wrote. I'm concerned with his last sentence. Is what you proposed okay with what his concern is?

Thanks,
Cory

Still wanting a reference to the contract and job description. The best seemed to be option one, adding the job description language.

We have an estimated 20 counties where the job description was changed years ago where all enforcement responsibility was placed on deputy sheriffs and jailers and corrections officers did not have investigation or enforcement responsibility within the Jail. The law change would be detrimental to those counties if they had to suddenly make those civilian employees protective.

I hope that helps you.

Dean

From: Champagne, Rick
Sent: Tuesday, November 05, 2013 11:38 AM

To: Bruce, Cory

Subject: County Jailer POP Status under WRS

Cory, as we talked about today, here are the two options for the county jailer draft:

1. Make county jailers protective occupation participants under the WRS without any provision that exempts them from the active law enforcement requirement. Do not affect the collective bargaining rights of county jailers; thus, as is currently the case, all that county jailers could bargain over are increases in base wages under the inflation cap. For this option, there would be no need to bargain fiscal cost because protective occupation participant status is not a bargainable subject for county jailers. At next round of negotiations over base wages, employer could offer less to cover the increase cost of protective occupation participant status.

2. . Make county jailers protective occupation participants under the WRS without any provision that exempts them from the active law enforcement requirement. In addition, under this option, include county jailers under the definition of "public safety employee" under s. 111.70 (1) (mm), thus giving them full collective bargaining rights as are currently has by other law enforcement groups, like deputy sheriffs. Under this option, we could have contracts opened for the purpose of negotiating fiscal costs of newly-granted protective occupation participant status.

In short, the first option gives county jailers protective occupation participant status, but doesn't increase their collective bargaining power. The second option gives county jailers protective occupation participant status and gives them same collective bargaining rights as public safety employees.

Let me know which option you want to pursue.

Rick

Rick Champagne
Senior Staff Counsel
Legal Section
Wisconsin Legislative Reference Bureau
1 East Main St.
Suite 200
Madison, WI 53703
(608) 266-9930
FAX (608) 264-6948
rick.champagne@legis.state.wi.us



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-2696/1
RAC/wlj/ph

2

soon
2013 BILL

stays *RMR*

- reg. cat.

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2 40.65 (4w) of the statutes; *relating to:* classifying county jailers *as* protective
3 occupation participants *status* for the purposes of the Wisconsin Retirement System.

Analysis by the Legislative Reference Bureau

Under current law, participants ^{*active*} under the Wisconsin Retirement System (WRS) whose principal duties involve law enforcement or fire suppression or prevention and require frequent exposure to a high degree of danger or peril and a high degree of physical conditioning are classified as protective occupation participants. Current law specifically classifies police officers, fire fighters, and various other individuals as protective occupation participants. Under the WRS, the normal retirement age of a protective occupation participant is lower than that of other participants and the percentage multiplier used to calculate retirement annuities is higher for protective occupation participants than for other participants.

This bill classifies county jailers as protective occupation participants for the purposes of the WRS.

Because this bill relates to public employee retirement or pensions, it may be referred to the Joint Survey Committee on Retirement Systems for a report to be printed as an appendix to the bill.

*Insert
Analysis*

BILL

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20 by a participating employer under par. (a) ~~add~~ or (bm) to be a protective occupation
21 participant, county undersheriff, deputy sheriff, state probation and parole officer,

county jailer,

BILL

1 county traffic police officer, conservation warden, state forest ranger, field
2 conservation employee of the department of natural resources who is subject to call
3 for forest fire control or warden duty, member of the state traffic patrol, state motor
4 vehicle inspector, University of Wisconsin System full-time police officer, guard or
5 any other employee whose principal duties are supervision and discipline of inmates
6 at a state penal institution, excise tax investigator employed by the department of
7 revenue, person employed under s. 60.553 (1), 61.66 (1), or 62.13 (2e) (a), or special
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15 (1) This act takes effect on the January 1 after publication.

16 (END)

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2696/2ins
RAC:wlj:ph

Insert Analysis:

This bill makes county jailers eligible for protective occupation participant status under the WRS, provided that their duties involve active law enforcement, require frequent exposure to a high degree of danger or peril, and a high degree of physical conditioning.

Insert 2-17:

*↑
require*

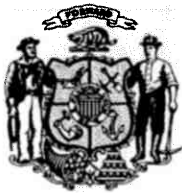
SECTION 1. 40.02 (48) (am) 23. of the statutes is created to read:

40.02 (48) (am) ~~23.~~ County jailer.

A

Per Cory,

Provide that county jailers who
are granted arrest powers by a sketching
the procedures. In other words, no active
law enforcement requirement.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-2696/2
RAC/wlj/jm

3

Thurs, if possible

2013 BILL

RMR

stays

-referred.

- 1 AN ACT *to amend* 40.02 (48) (c); and *to create* 40.02 (17) (n), 40.02 (48) (am) 23.
2 and 40.65 (4w) of the statutes; **relating to:** eligibility of ^{certain} county jailers for
3 protective occupation participant status for the purposes of the Wisconsin
4 Retirement System.

Analysis by the Legislative Reference Bureau

Under current law, participants under the Wisconsin Retirement System (WRS) whose principal duties involve active law enforcement or fire suppression or prevention and require frequent exposure to a high degree of danger or peril and a high degree of physical conditioning are classified as protective occupation participants. Current law specifically classifies police officers, fire fighters, and various other individuals as protective occupation participants. Under the WRS, the normal retirement age of a protective occupation participant is lower than that of other participants and the percentage multiplier used to calculate retirement annuities is higher for protective occupation participants than for other participants.

This bill makes county jailers eligible for protective occupation participant status under the WRS, provided that their duties involve active law enforcement, require frequent exposure to a high degree of danger or peril, and require a high degree of physical conditioning.

Because this bill relates to public employee retirement or pensions, it may be referred to the Joint Survey Committee on Retirement Systems for a report to be printed as an appendix to the bill.

Tight Budget

BILL

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 40.02 (17) (n) of the statutes is created to read:

40.02 (17) (n) Notwithstanding par. (d), each participant who is a county jailer shall be granted creditable service as a protective occupation participant for all covered service while a county jailer that was earned on or after the effective date of this paragraph [LRB inserts date], but may not be granted creditable service as a protective occupation participant for any covered service as a county jailer that was earned before the effective date of this paragraph [LRB inserts date], unless that service was earned while the participant was classified under sub. (48) (a) and s. 40.06 (1) (d) as a protective occupation participant.

SECTION 2. 40.02 (48) (am) 23. of the statutes is created to read:

40.02 (48) (am) 23. A county jailer.

SECTION 3. 40.02 (48) (c) of the statutes is amended to read:

40.02 (48) (c) In s. 40.65, "protective occupation participant" means a participating employee who is a police officer, fire fighter, an individual determined by a participating employer under par. (a) ^(b) or (bm) to be a protective occupation participant, county undersheriff, deputy sheriff, state probation and parole officer, ~~county jailer~~ county traffic police officer, conservation warden, state forest ranger, field conservation employee of the department of natural resources who is subject to call for forest fire control or warden duty, member of the state traffic patrol, state motor vehicle inspector, University of Wisconsin System full-time police officer, guard or any other employee whose principal duties are supervision and discipline

and who is classified as a protective occupation participant

Insert 2-12

BILL

1 of inmates at a state penal institution, excise tax investigator employed by the
2 department of revenue, person employed under s. 60.553 (1), 61.66 (1), or 62.13 (2e)
3 (a), or special criminal investigation agent employed by the department of justice.

4 **SECTION 4.** 40.65 (4w) of the statutes is created to read:

5 40.65 (4w) A county jailer who becomes a protective occupation participant on
6 or after the effective date of this subsection [LRB inserts date], is not entitled to
7 a duty disability benefit under this section for an injury or disease occurring before
8 the effective date of this subsection [LRB inserts date].

9 **SECTION 5. Effective date.**

10 (1) This act takes effect on the January 1 after publication.

11 (END)

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2696/3ins
RAC:wlj:jm

Insert Analysis:

This bill makes county jailers eligible for protective occupation participant status under the WRS if they have been granted arrest powers by a sheriff.

Insert 2-12:

SECTION 1. 40.02 (48) (bd) of the statutes is created to read:

40.02 (48) (bd) "Protective occupation participant" includes any participant who is a county jailer, if the department receives notification of the participant's name as provided in s. 40.06 (1) (d). Notwithstanding par. (a), an employer may classify such a participant as a protective occupation participant if the participant has been granted arrest powers by a sheriff.

Champagne, Rick

From: Matt Joski <Joskim@kewauneeco.org>
Sent: Monday, January 06, 2014 2:08 PM
To: badgersheriff@brucetel.net; Gossage_JR; sheriff1@co.juneau.wi.us; Champagne, Rick; Todd W. Priebe
Subject: Teleconference Information

Good afternoon,
Please see below information for teleconference this Wed. at 8:30 A.M.
Feel Free to call me with any questions.
Matt

Deputy Classification Legislation

1. Please join my meeting.

<https://global.gotomeeting.com/meeting/join/399734077>

2. Join the conference call:

United States: +1 (267) 507-0017

Access Code: 399-734-077

Audio PIN: Shown after joining the meeting

Meeting ID: 399-734-077

GoToMeeting

Online-Meetings made easy

(9)

Instructions:

- ① Put county jailers in s. 40.02 C 48) (am) list
- ② Require employers to classify county jailers as protectives
- ③ Clarify that county jailers include county detention + correctional officers.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-2696/3
RAO:wlj/rs

FRI AM

Stays RMR

2013 BILL

PF

detention
officers, and
correctional
officers
as

classifying

Regen

- 1 AN ACT ~~to amend~~ 40.02 (48) (c); and ~~to create~~ 40.02 (17) (n), 40.02 (48) (bd) and
2 40.65 (4w) of the statutes; relating to: ~~eligibility of certain~~ county jailers, ~~for~~
3 protective occupation participant ~~status for the purposes of~~ the Wisconsin
4 Retirement System. ~~under~~

Analysis by the Legislative Reference Bureau

Under current law, participants under the Wisconsin Retirement System (WRS) whose principal duties involve active law enforcement or fire suppression or prevention and require frequent exposure to a high degree of danger or peril and a high degree of physical conditioning are classified as protective occupation participants. Current law specifically classifies police officers, fire fighters, and various other individuals as protective occupation participants. Under the WRS, the normal retirement age of a protective occupation participant is lower than that of other participants and the percentage multiplier used to calculate retirement annuities is higher for protective occupation participants than for other participants.

This bill makes county jailers eligible for protective occupation participant status under the WRS if they have been granted arrest powers by a sheriff.

Because this bill relates to public employee retirement or pensions, it may be referred to the Joint Survey Committee on Retirement Systems for a report to be printed as an appendix to the bill.

In sent
Analysis

BILL

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 40.02 (17) (n) of the statutes is created to read:

2 40.02 (17) (n) Notwithstanding par. (d), each participant who is a county jailer
3 and who is classified as a protective occupation participant shall be granted
4 creditable service as a protective occupation participant for all covered service while
5 a county jailer that was earned on or after the effective date of this paragraph
6 [LRB inserts date], but may not be granted creditable service as a protective
7 occupation participant for any covered service as a county jailer that was earned
8 before the effective date of this paragraph [LRB inserts date], unless that service
9 was earned while the participant was classified under sub. (48) (a) and s. 40.06 (1)
10 (d) as a protective occupation participant.

11 **SECTION 2.** 40.02 (48) (bd) of the statutes is created to read:

12 40.02 (48) (bd) "Protective occupation participant" includes any participant
13 who is a county jailer, if the department receives notification of the participant's
14 name as provided in s. 40.06 (1) (d). Notwithstanding par. (a), an employer may
15 classify such a participant as a protective occupation participant if the participant
16 has been granted arrest powers by a sheriff.

17 **SECTION 3.** 40.02 (48) (c) of the statutes is amended to read:

18 40.02 (48) (c) In s. 40.65, "protective occupation participant" means a
19 participating employee who is a police officer, fire fighter, an individual determined
20 by a participating employer under par. (a) (bd) or (bm) to be a protective occupation
21 participant, county undersheriff, deputy sheriff, state probation and parole officer,

county jailer,

BILL

1 county traffic police officer, conservation warden, state forest ranger, field
2 conservation employee of the department of natural resources who is subject to call
3 for forest fire control or warden duty, member of the state traffic patrol, state motor
4 vehicle inspector, University of Wisconsin System full-time police officer, guard or
5 any other employee whose principal duties are supervision and discipline of inmates
6 at a state penal institution, excise tax investigator employed by the department of
7 revenue, person employed under s. 60.553 (1), 61.66 (1), or 62.13 (2e) (a), or special
8 criminal investigation agent employed by the department of justice.

9 **SECTION 4.** 40.65 (4w) of the statutes is created to read:

10 40.65 (4w) A county jailer who becomes a protective occupation participant on
11 or after the effective date of this subsection [LRB inserts date], is not entitled to
12 a duty disability benefit under this section for an injury or disease occurring before
13 the effective date of this subsection [LRB inserts date].

14 **SECTION 5. Effective date.**

15 (1) This act takes effect on the January 1 after publication.

16 (END)

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2696/4ins
RAC:wlj:rs

Insert Analysis:

This bill requires counties to classify county jailers, detention officers, and correctional officers eligible as protective occupation participants under the WRS without a requirement that their principal duties involve active law enforcement or active fire suppression or prevention.

2-17:

SECTION ~~4~~ 40.02 (48) (am) 23. of the statutes is created to read:

40.02 (48) (am) 23. ^ACounty jailer.

SECTION ~~4~~ 40.02 (48) (b) 5. of the statutes is created to read:

40.02 (48) (b) 5. A "county jailer" includes a county detention officer and a county correctional officer. Notwithstanding par. (a), an employer shall classify a participant who is a county jailer as a protective occupation participant without making a determination that the principal duties of the participant involve active law enforcement or active fire suppression or prevention.

Champagne, Rick

From: Bruce, Cory
Sent: Thursday, January 16, 2014 8:56 AM
To: Champagne, Rick
Cc: badgersheriff@brucetel.net
Subject: FW: Protective Status Bill

Rick,
Is it possible to make the change requested below to our protective Status bill?

Thanks,
Cory

From: Badger Sheriff [<mailto:badgersheriff@brucetel.net>]
Sent: Wednesday, January 15, 2014 6:15 PM
To: Bruce, Cory
Subject: FW: Protective Status Bill

Cory,

FYI – please read info below.

Is it still possible to modify so Chapter 40 includes the correction officer and/or or jailer name, but change the rest so the County has the “ability” to classify as a protective status employee?

Don’t know if this is possible, but thought I would ask.

Dean

From: Badger Sheriff [<mailto:badgersheriff@brucetel.net>]
Sent: Wednesday, January 15, 2014 6:11 PM
To: 'Brent Oleson'; 'Matt Joski'; 'David Kaminski'
Subject: Protective Status Bill

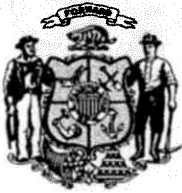
Sheriff(s),

After reading this proposal more carefully (at Brent’s suggestion) it does seem to “require” County’s to classify county jailers as protective occupation participants.

I was under the impression the bill would include the county jailer language into Chapter 40 and that County’s “could” enter into agreements with this group of employees to cost share or fund the costs of this reclassification.

Sorry I did not read it more carefully from the get go....

Dean C. Meyer, Executive Director
Badger State Sheriffs' Association
715-415-2412
badgersheriff@brucetel.net



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-2696/4
RAC/wlj:jj

FR I

2013 BILL

stays RMR

-regencat

- 1 AN ACT *to amend* 40.02 (48) (c); and *to create* 40.02 (17) (n), 40.02 (48) (am) 23.,
2 40.02 (48) (b) 5. and 40.65 (4w) of the statutes; **relating to:** classifying county
3 jailers, detention officers, and correctional officers as protective occupation
4 participants under the Wisconsin Retirement System.

Analysis by the Legislative Reference Bureau

Under current law, participants under the Wisconsin Retirement System (WRS) whose principal duties involve active law enforcement or fire suppression or prevention and require frequent exposure to a high degree of danger or peril and a high degree of physical conditioning are classified as protective occupation participants. Current law specifically classifies police officers, fire fighters, and various other individuals as protective occupation participants. Under the WRS, the normal retirement age of a protective occupation participant is lower than that of other participants and the percentage multiplier used to calculate retirement annuities is higher for protective occupation participants than for other participants.

This bill ~~requires~~ counties to classify county jailers, detention officers, and correctional officers eligible as protective occupation participants under the WRS without a requirement that their principal duties involve active law enforcement or active fire suppression or prevention.

Because this bill relates to public employee retirement or pensions, it may be referred to the Joint Survey Committee on Retirement Systems for a report to be printed as an appendix to the bill.

permits

BILL

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 40.02 (17) (n) of the statutes is created to read:

40.02 (17) (n) Notwithstanding par. (d), each participant who is a county jailer and who is classified as a protective occupation participant shall be granted creditable service as a protective occupation participant for all covered service while a county jailer that was earned on or after the effective date of this paragraph [LRB inserts date], but may not be granted creditable service as a protective occupation participant for any covered service as a county jailer that was earned before the effective date of this paragraph [LRB inserts date], unless that service was earned while the participant was classified under sub. (48) (a) and s. 40.06 (1) (d) as a protective occupation participant.

SECTION 2. 40.02 (48) (am) 23. of the statutes is created to read:

40.02 (48) (am) 23. A county jailer.

SECTION 3. 40.02 (48) (b) 5. of the statutes is created to read:

40.02 (48) (b) 5. A "county jailer" includes a county detention officer and a county correctional officer. Notwithstanding par. (a), an employer ~~may~~ ^{may} classify a participant who is a county jailer as a protective occupation participant without making a determination that the principal duties of the participant involve active law enforcement or active fire suppression or prevention.

SECTION 4. 40.02 (48) (c) of the statutes is amended to read:

40.02 (48) (c) In s. 40.65, "protective occupation participant" means a participating employee who is a police officer, fire fighter, an individual determined

20
4
A determination under this subdivision may not be appealed under s. 40.06 (1) (e) or (em).

BILL

1 by a participating employer under par. (a) or (bm) to be a protective occupation
2 participant, county undersheriff, deputy sheriff, county jailer, state probation and
3 parole officer, county traffic police officer, conservation warden, state forest ranger,
4 field conservation employee of the department of natural resources who is subject to
5 call for forest fire control or warden duty, member of the state traffic patrol, state
6 motor vehicle inspector, University of Wisconsin System full-time police officer,
7 guard or any other employee whose principal duties are supervision and discipline
8 of inmates at a state penal institution, excise tax investigator employed by the
9 department of revenue, person employed under s. 60.553 (1), 61.66 (1), or 62.13 (2e)
10 (a), or special criminal investigation agent employed by the department of justice.

11 **SECTION 5.** 40.65 (4w) of the statutes is created to read:

12 40.65 (4w) A county jailer who becomes a protective occupation participant on
13 or after the effective date of this subsection [LRB inserts date], is not entitled to
14 a duty disability benefit under this section for an injury or disease occurring before
15 the effective date of this subsection [LRB inserts date].

16 **SECTION 6. Effective date.**

17 (1) This act takes effect on the January 1 after publication.

18 (END)

Parisi, Lori

From: Bruce, Cory
Sent: Tuesday, January 21, 2014 4:19 PM
To: LRB.Legal
Subject: Draft Review: LRB -2696/5 Topic: County jailers as protective occupation participants under WRS

Please Jacket LRB -2696/5 for the ASSEMBLY.

Barman, Mike

From: Barman, Mike
Sent: Friday, January 24, 2014 10:52 AM
To: Bruce, Cory
Subject: RE: Request for Fiscal

I will submit your draft to DOA for early FE assignment.

Have a great weekend!

Mike Barman

From: Bruce, Cory
Sent: Friday, January 24, 2014 10:33 AM
To: Barman, Mike
Subject: Request for Fiscal

Mike,
Can we get the process started for a FE on this bill. We'd like to hold a possible exec. on Feb. 6th. Cosponsorship deadline ends on Monday.

Thanks,
Cory

Memo

To: Representative **Bies**

(The Draft's Requester)

Per your request ... the attached fiscal estimate was prepared for your un-introduced 2013 session draft.

LRB Number: LRB-2696

Version: “/5” (original)

Fiscal Estimate Prepared By: (agency abbr.) **DOC**

If you have questions about the enclosed fiscal estimate, you may contact the state agency representative that prepared the fiscal estimate. If you disagree with the enclosed fiscal estimate, please contact the LRB drafter of your proposal to discuss your options under the fiscal estimate procedure.

* * * * *

Entered In Computer And Copy Sent To Requester Via E-Mail: 01 / 27 / 2013

To: LRB – Legal Section PA's

Subject: *Fiscal Estimate Received For An Un-introduced Draft*

> **If re-drafted** ... please insert this cover sheet and attached early fiscal estimate into the drafting file “guts” ... after the draft’s old version (the version that this fiscal estimate was based on), and just before re-draft of the updated version.

> **If introduced ...** please make sure the attached fiscal estimate is for the **current version** ... write the draft's new introduction number below and give this packet to Mike (or Lori) to re-process the fiscal estimate (w/intro. number included).

THIS DRAFT WAS INTRODUCED AS: 2013

AB 699

Barman, Mike

From: Barman, Mike
Sent: Monday, January 27, 2014 1:55 PM
To: Rep.Bies
Cc: Bruce, Cory
Subject: LRB-2696/5 (un-introduced) (FE by DOC - attached - for your review)



FE-2696_DOCor...

Drafter: RAC
Subject: Employ - retirement

Mike Barman (Lead Program Assistant)

State of Wisconsin - Legislative Reference Bureau - Legal Section - Front Office
1 East Main Street, Suite 200, Madison, WI 53703
(608) 266-3561 / mike.barman@legis.wisconsin.gov

Memo

To: Representative **Bies**

(The Draft's Requester)

Per your request ... the attached fiscal estimate was prepared for your un-introduced 2013 session draft.

LRB Number: LRB-2696

Version: “/5 ” (original)

Fiscal Estimate Prepared By: (agency abbr.) ETF

If you have questions about the enclosed fiscal estimate, you may contact the state agency representative that prepared the fiscal estimate. If you disagree with the enclosed fiscal estimate, please contact the LRB drafter of your proposal to discuss your options under the fiscal estimate procedure.

* * * * *

Entered In Computer And Copy Sent To Requester Via E-Mail: 01 / 31 / 2013

To: LRB – Legal Section PA's

Subject: *Fiscal Estimate Received For An Un-introduced Draft*

- > **If re-drafted** ... please insert this cover sheet and attached early fiscal estimate into the drafting file “guts” ... after the draft's old version (the version that this fiscal estimate was based on), and just before re-draft of the updated version.
- > **If introduced** ... please make sure the attached fiscal estimate is for the **current version** ... write the draft's new introduction number below and give this packet to Mike (or Lori) to re-process the fiscal estimate (w/intro. number included).

THIS DRAFT WAS INTRODUCED AS: 2013 AB 699

Barman, Mike

From: Barman, Mike
Sent: Friday, January 31, 2014 9:25 AM
To: Rep.Bies
Cc: Bruce, Cory
Subject: LRB-2696/5 (un-introduced) (FE by ETF - attached - for your review)



FE-2696 ETF.pdf

Drafter: RAC
Subject: Employ Pub - retirement

Mike Barman (Lead Program Assistant)

State of Wisconsin - Legislative Reference Bureau - Legal Section - Front Office
1 East Main Street, Suite 200, Madison, WI 53703
(608) 266-3561 / mike.barman@legis.wisconsin.gov